

UNITED STATES DISTRICT COURT

for the

EASTERN District of NEW YORK

CLAIM Division

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 18 2019 ★

LONG ISLAND OFFICE

**CV - 19 1535**

Case No.

(to be filled in by the Clerk's Office)

JAHLI ROBINSON

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

NASSAU COUNTY Jail

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☒ Yes ☐ No

**SEYBERT, J.**

**BROWN, M. J.**

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

RECEIVED

MAR 18 2019

Page 1 of 6

EDNY PRO SE OFFICE

CC

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

JAHNI ROBINSON DINT# 18A1970  
2654 DALTO COURT BEAVERSIDE  
OCEANSIDE NY 11554  
City State Zip Code

County

Telephone Number

E-Mail Address

NASSAU  
I'm CURRENTLY INCARCERATED  
IN FIVE POINTS CT.

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

NASSAU COUNTY CORRECTIONS  
CENTER  
100 CARMAN AVE., EASTMEADOW NY  
City State Zip Code 11554

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (if known)

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐

Federal officials (a *Bivens* claim)

☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Failure To Protect And Lack of Security

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

CC

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

CORRECTIONAL OFFICERS ALLOWED INMATES TO JUMP ME AND DIDN'T BREAK IT UP UNTIL IT WAS OVER. I RECEIVED A BROKEN JAW WITH PERMANENT METAL PLATE.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

"E2F" DORM OF "E-BUILDING" IN NASSAU COUNTY Jail

- B. What date and approximate time did the events giving rise to your claim(s) occur?

JANUARY 3, 2017 AT 245PM

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I WAS ASSAULTED BY ANOTHER INMATE AND THEN JUMPED. JAIL GUARDS WATCHED AND WAITED UNTIL THEY STOPPED ASSAULTING ME TO INTERACT.

#### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

BROKEN JAW - BROKEN IN 3 PLACES, WHICH  
REQUIRED A MECHANICAL WIRE AND A PERMANENT  
METAL PLATE ON MY CHIN TO PREVENT FURTHER INJURY.

#### V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I WANT THE COURT TO COMPENSATE ME FOR  
~~DAMAGES~~ DAMAGES IN THE AMOUNT OF \$15,000,000 (FIFTEEN MILLION)  
FOR ACTUAL DAMAGES. ~~AND PUNITIVE DAMAGES IN THE AMOUNT OF \$15,000,000 (FIFTEEN MILLION)~~  
~~AND PUNITIVE DAMAGES IN THE AMOUNT OF \$15,000,000 (FIFTEEN MILLION)~~

CC

## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2-28-19 (FEBRUARY 28, 2019)

Signature of Plaintiff

Printed Name of Plaintiff

JAHNI ROBINSON

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

2.28.19  
FEBRUARY 28, 2019

TO COURT:

PERTAINING TO THIS INCIDENT,  
I FILED MANY GRIEVANCES AND I  
NEVER GOT ANY RESPONSE. GRIEVANCE  
OFFICE NEVER FOLLOWED UP OR EVEN HAD  
AN INITIAL INTERVIEW WITH ME. I  
SENT CONCERNS OF MY INCIDENT TO  
THE NASSAU COUNTY THEN, SHERIFF  
MICHAEL J. SPASATO, TO NO AVAIL.  
THIS IS WHY I DECIDED TO FILE  
U.S.C. 1983.

Sincerely,

JAHNI ROBINSON  
NYS DIN# 18A1950  
Firepoints Correctional Facility  
STATE ROUTE 96, P.O. BOX 119  
Romulus, New York 14541

RECEIVED

MAR 20 2019

EDNY PRO SE OFFICE

CC